



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/607,718	06/27/2003	Kevin T. Rowncy	006224.P001X3	9417

7590

01/08/2008

Marina Portnova  
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP  
Seventh Floor  
12400 Wilshire Boulevard  
Los Angeles, CA 90025

EXAMINER
----------

DAYE, CHELCIE L

ART UNIT	PAPER NUMBER
----------	--------------

2161

MAIL DATE	DELIVERY MODE
-----------	---------------

01/08/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No.	Applicant(s) <i>mj</i>	
	10/607,718	ROWNEY ET AL.	
	Examiner	Art Unit	
	Chelcie Daye	2161	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 02 November 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>11/2/07</u> . | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This action is issued in response to applicant's RCE filed November 02, 2007.
2. Claims 1-32 are presented. No claims are added and none cancelled.
3. Claims 1-32 are pending.

### ***Continued Examination Under 37 CFR 1.114***

4. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on November 02, 2007 has been entered.

### ***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

6. Claims 1, 3-4, 7-8, 20-22, and 31-32 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

In particular, newly amended claims 1, 3-4, 7-8, 20-22, and 31-32, recite the phrase "free-form text", however, the applicant's specification does not provide an appropriate understanding for how the phrase is to be used. It is unclear to the examiner if the text is in a structured state or not and also whether the text is in a readable state or all jumbled within the document? Since, the specification has no support for such amendments; it is deemed that new matter has been incorporated into the claim language. Further corrections are required.

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. Claims 1, 3-4, 7-8, 20-22, and 31-32, are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Specifically, newly amended claims 1, 3-4, 7-8, 20-22, and 31-32, recite the phrase "free-form text", but do not provide an adequate description of what free-form text entails. Examiner is unsure as to what kind of text is free-form. As such, techweb.com and answers.com encyclopedias have defined free-form text as "words and sentences, such as input to a word processor or text editor. Since text is already free form, the term is redundant, but is used to emphasize its unstructured nature". In order to further prosecution, the claims will be examined with the broadest reasonable interpretation.

***Claim Rejections - 35 USC § 103***

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. **Claims 1-3,6-15,20-21,24-26, and 31-32, are rejected under 35 U.S.C. 103(a) as being unpatentable over Bradshaw (US Patent No. 5,835,722) filed June 27, 1996, in view of Shannon (US Patent No. 6,233,618) filed March 31, 1998.**

Regarding Claims 1, 20, and 32, Bradshaw discloses a method for a client device, comprising:

searching, free-form text contained in a plurality of documents for pre-selected data, the plurality of documents being stored on a plurality of data storage media of the client device (column 6, lines 5-20 and 40-49; column 7, lines 19-38, Bradshaw), the client device being a personal computing device (column 5, lines 37-38, Bradshaw);

detecting at least a portion of the pre-selected data in the free-form text of at least one of the plurality of documents stored on any of the plurality of data storage media of the client device (column 8, lines 35-58 and column 10, lines 15-30, Bradshaw)<sup>1</sup>. However, Bradshaw is silent with respect to the searching

---

<sup>1</sup> Examiner Notes: Further examples of detecting pre-selected data can be found at column 11, Examples 1 and 2, Bradshaw.

being performed locally and sending a notification of detection of the pre-selected data from the client device to a server coupled to the client device via a network. On the other hand, Shannon discloses the searching being performed locally (column 6, lines 28-35, Shannon) and sending a notification of detection of the pre-selected data from the client device to a server coupled to the client device via a network (column 14, lines 42-48, Shannon)<sup>2</sup>. Bradshaw and Shannon are analogous art because they are from the same field of endeavor of controlling the access of particular data. It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate Shannon's teachings into the Bradshaw system. A skilled artisan would have been motivated to combine as suggested by Shannon at column 3, lines 46-50 and column 4, lines 33-50, in order to provide a more efficient and up-to-date system for controlling access by client computers to available data dependent upon the content.

Regarding Claim 2, the combination of Bradshaw in view of Shannon, disclose a method further comprising:

upon detecting at least a portion of the pre-selected data, preventing access to the detected data (column 14, lines 37-41, Shannon).

Regarding Claims 3 and 21, the combination of Bradshaw in view of Shannon, disclose a method wherein the free-form text contained in the plurality

---

<sup>2</sup> Examiner Notes: More details regarding the server being coupled to the client device via a network can

of documents is searched periodically (columns 9-10, lines 64-67 and 1, respectively, Shannon).

Regarding Claims 6 and 24, the combination of Bradshaw in view of Shannon, disclose a method further comprising:

receiving instructions defining a scope of a search for the client device from the server (column 6, lines 28-47, Shannon).

Regarding Claim 7, the combination of Bradshaw in view of Shannon, disclose a method wherein searching free-form text contained in the plurality of documents comprises:

receiving an abstract data structure<sup>3</sup> associated with the pre-selected data (column 8, lines 49-51, Shannon); and

utilizing the abstract data structure (column 8, lines 51-56, Shannon) when searching the free-form text contained in the plurality of documents for the pre-selected data (column 8, lines 2-12, Shannon).

Regarding Claims 8 and 25, the combination of Bradshaw in view of Shannon, disclose a method wherein searching free-form text contained in the plurality of documents comprises monitoring one or more specific data operations

---

be found at column 5, lines 6-20 and 45-50, Shannon.

<sup>3</sup> Examiner Notes: Table 3 is a form of an index data structure, which corresponds with abstract data structure.

for presence of at least a portion of the pre-selected data (column 13, lines 23-34, Shannon).

Regarding Claims 9 and 26, the combination of Bradshaw in view of Shannon, disclose a method wherein at least one of the one or more specific data operations is selected from the group consisting of a file-read, a file-write, a file-update (column 9, lines 27-31, Shannon), a read from a removable media device, a write to a removable media device, and access of data stored on any of the plurality of data storage media by a program running on the client device (column 12, lines 24-31, Shannon).

Regarding Claim 10, the combination of Bradshaw in view of Shannon, disclose a method wherein the pre-selected data has a tabular format (column 8, Table 3, Shannon).

Regarding Claim 11, the combination of Bradshaw in view of Shannon, disclose a method wherein the pre-selected data is capable of being re-structured into a tabular format based on relationships among elements of the pre-selected data (column 7, Table 2 and lines 58-64, Shannon).

Regarding Claim 12, the combination of Bradshaw in view of Shannon, disclose a method wherein the pre-selected data is maintained by an



organization in at least one of a spreadsheet, a flat file, and a database (column 8, lines 24-30, Shannon).

Regarding Claim 13, the combination of Bradshaw in view of Shannon, disclose a method wherein the pre-selected data is associated with an abstract data structure comprising a tuple-storage structure<sup>4</sup> derived from the pre-selected data (column 8, Table 3, Shannon).

Regarding Claim 14, the combination of Bradshaw in view of Shannon, disclose a method wherein the abstract data structure comprises a plurality of tuples, each of the plurality of tuples including a row numbers of a data item in a corresponding cell of a tabular structure of the pre-selected data (column 8, Table 3 and lines 49-51, Shannon; wherein the plurality of tuples correspond to the multiple rows and also the rows within Table 3 are numbered which corresponds to the "including row numbers of a tabular structure").

Regarding Claim 15, the combination of Bradshaw in view of Shannon, disclose a method wherein each of the plurality of tuples additionally includes a column number (column 8, lines 57-62, Shannon) and optionally a column type of the data item in the corresponding cell.

---

<sup>4</sup> Examiner Notes: The tuple-storage structure is Table 3 shown with numbered rows.

Regarding Claim 31, the combination of Bradshaw in view of Shannon, disclose a client device comprising:

a plurality of storage media storing a plurality of documents containing free-form text for the client device (column 6, lines 5-20 and 40-49; column 7, lines 19-38, Bradshaw), the client device being a personal computing device (column 5, lines 37-38, Bradshaw); and

at least one processor coupled to the plurality of storage media (column 3, lines 54-58, Shannon), at least one processor executing a set of instructions which cause the processor to search locally the free-form text in the plurality of documents for pre-selected data (column 8, lines 2-12, Shannon), and to send a notification of detection of the pre-selected from the client device to a server via a network upon detecting locally at least a portion of the pre-selected data in the free-form text of any of the plurality of documents (column 14, lines 42-48, Shannon).

**11. Claims 4, 16-19, 22, and 27-30, are rejected under 35 U.S.C. 103(a) as being unpatentable over Bradshaw (US Patent No. 5,835,722) filed June 27, 1996, in view of Shannon (US Patent No. 6,233,618) filed March 31, 1998, and further in view of Brandt (US Patent No. 5,892,905) filed December 23, 1996.**

Regarding Claims 4 and 22, the combination of Bradshaw in view of Shannon, disclose all of the claimed subject matter as stated above. However,

the combination of Bradshaw in view of Shannon, are silent with respect to the free-form text contained in the plurality of documents being searched when the client device is disconnected from the network. On the other hand, Brandt discloses the free-form text contained in the plurality of documents being searched when the client device is disconnected from the network (column 17, lines 46-50, Brandt). Bradshaw, Shannon, and Brandt, are analogous art because they are from the same field of endeavor of access control of networked data. It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate Brandt's teachings into the Bradshaw and Shannon system. A skilled artisan would have been motivated to combine as suggested by Brandt at column 17, lines 51-55, in order to stay consistent with the maintenance on a system, as well as ensuring reliability without undue disruption.

Regarding Claims 16 and 27, the combination of Bradshaw in view of Shannon, and further in view of Brandt, disclose a method wherein the plurality of data storage media is selected from the group consisting of a main memory ("DRAM"; column 10, lines 8-11, Brandt), a static memory, and a mass storage memory.

Regarding Claims 17 and 28, the combination of Bradshaw in view of Shannon, and further in view of Brandt, disclose a method wherein a plurality of data storage media comprises

one or more volatile storage device (column 5, lines 5-8, Bradshaw); and  
one or more persistent storage device (column 10, lines 53-61, Brandt).

Regarding Claims 18 and 29, the combination of Bradshaw in view of Shannon, and further in view of Brandt, disclose a method further comprising detecting use of the pre-selected data by an application<sup>5</sup> running on the client device (column 6, lines 8-15, Shannon).

Regarding Claims 19 and 30, the combination of Bradshaw in view of Shannon, and further in view of Brandt, disclose a method further comprising:  
identifying the application using the pre-selected data (column 10, lines 51-59, Shannon); and  
reporting the identified application (column 10, lines 59-64, Shannon).

**12. Claims 5 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bradshaw (US Patent No. 5,835,722) filed June 27, 1996, in view of Shannon (US Patent No. 6,233,618) filed March 31, 1998, further in view of Brandt (US**

---

<sup>5</sup> Examiner Notes: The application corresponds to a "network device", which has access to the databases and permits data communication (column 5, lines 12-20, Shannon).

**Patent No. 5,892,905) filed December 23, 1996, and further in view of Dascalu (US Patent No. 5,958,015) filed October 29, 1996.**

Regarding Claims 5 and 23, the combination of Bradshaw in view of Shannon, and further in view of Brandt, disclose a method wherein sending a notification comprises:

upon detecting the pre-selected data, creating a message containing the notification of the detection of the pre-selected data (column 14, lines 42-48, Shannon); and

transmitting the message to the server after the client device is re-connected to the server (column 18, lines 24-30, Brandt). However, the combination of Bradshaw in view of Shannon, and further in view of Brandt, are silent with respect to placing the message in a transmission queue. On the other hand, Dascalu discloses placing the message in a transmission queue (column 4, lines 25-40, Dascalu). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate Dascalu's teachings into the Bradshaw, Shannon, and Brandt system. A skilled artisan would have been motivated to combine in order to provide a network device that offers access control at particular levels for easier transmission.

***Response to Arguments***

Applicant's arguments with respect to the newly amended claims have been considered but are moot in view of the new ground(s) of rejection.


***Points of Contact***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chelcie Daye whose telephone number is 571-272-3891. The examiner can normally be reached on M-F, 7:00 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Apu Mofiz can be reached on 571-272-4080. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Chelcie Daye  
Patent Examiner  
Technology Center 2100  
January 2, 2008

  
APU MOFIZ  
SUPERVISORY PATENT EXAMINER